

SAM Forum & Symposium

Department of Environmental Health

Land and Water Quality Division

Site Assessment and Mitigation Program

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SAM Forum & Symposium Sponsors

- HP Labs
- San Diego Environmental Professionals
- Procopio, Cory, Hargreaves & Savitch
- Industrial Environmental Association

SAM Forum & Symposium

- Presentations will be posted on SAM's Web Page

[**www.sdcounty/deh/lwq/sam**](http://www.sdcounty/deh/lwq/sam)

- For copies of TWG updates, contact:
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Land and Water Quality Division Site Assessment and Mitigation Program (SAM)

- **Local Oversight Program (LOP)**
- **Voluntary Assistance Program (VAP)**
- **File Review Program**
- **Monitoring Well Program (MW)***

*** See SAM organizational chart**

New SAM Staff

- **Kent Huth, Environmental Health Specialist II**
- **David Jones, Environmental Health Specialist II**
- **Jon Senaha, Environmental Health Specialist II**
- **Marisol Gallardo, Student Worker**

DEH Fee Adjustments

- Multi-year fee package
- Based on negotiated labor contract
- Estimates of future costs
- Stakeholder input
- Board of Supervisors require full cost recovery
- Fee posted - www.sdcdeh.org

MW Fee Adjustments

- Permit Base Fee and additional activities changes each year
- New well inspection fee
- New well investigative fee
- New tank monitoring fee

Legislative Update

- **Assembly Bill 2481, *Frommer***
- **Response Action Regulations**

AB 2481 (Frommer)

- Sponsored by SWRCB
- Approved by Legislature 8/30/2002
- UST Provisions
- UST Cleanup Provisions
- RUST Grant and Loan Program Provisions
- CUPA Provisions

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UST Provisions

- **Constructions standards after July 1, 2003**
 - new UST systems must be liquid and **vapor tight** and not allow water intrusion
 - New UST systems include underground portion of vent lines, vapor recovery lines and fill pipes
 - All portions of the new UST system must be double contained

UST Provisions

- **Constructions standards after July 1, 2003**
 - **new secondary containment must be continuously monitored under vacuum or pressure**
 - **UST system must be demonstrated to be liquid and vapor tight before being placed in service**
 - **Annual testing of new spill containment required**
 - **Annual tightness for new underground pressurized piping no longer required**

UST Provisions

- **Enhanced leak detection within 1000 feet of public drinking water well**
 - one-time testing of double walled systems
 - test failures must be corrected
- **Licensed tank testers**
 - sign reports under penalty of perjury
 - maintain reports at least 3 years

UST Provisions

- **Local agency authority**
 - “Red Tag” tank for fuel delivery prohibition
 - Replaces the 1998 certificates of compliance
 - Significant violations which will be define by SWRCB
 - Imminent threat with no grace period
 - No imminent threat, 7 days to correct with local agency follow-up within 5 days
 - Civil penalties of up to \$5000/day

UST Cleanup Provisions

- **Move corrective action requirements in HSC Ch 6.75 to HSC Ch 6.7**
- **Increased UST Cleanup fund eligibility**
 - new owner is not affiliated with, or a relative of, the previous ineligible owner
 - Leaks began before property purchased
 - New owner obtains permit. Applicable deductibles, and pays owed storage fees

RUST Grant and Loan Program Provisions

- **Reduces minimum grant from \$10,000 to \$3,000**
- **Authorizes grants for enhanced leak detection testing required by law**
- **No longer requires that small business already have incurred debt to be eligible**

Certified Unified Program Agency Provisions

- **Authorizes CUPA's to issue administrative enforcement orders for UST's**
- **Specifies procedures for hearings**
- **CUPA receives all administrative penalties for enforcement of unified program requirements**
- **For minor violations, CUPA's may issue notices to comply as specified**

DEH UST CONTACTS

- **Annual UST compliance inspections and permitting issues:**
 - **Sylvia Mosse, ICP Supervisor, (619) 338-2309**
 - **Robert Rapista, EHS III, (619) 338-2207**
- **Site assessment and cleanup issues**
 - **SAM Duty Specialist: (619) 338-2222**

Response Action Regulations

- **DTSC establishes single process for majority of response actions under the following:**
 - **Site mitigation authority, HSC Chapter 6.8**
 - **Corrective action authority, HSC Chapter 6.5**
 - **Consistent with federal cleanup requirements of the National Contingency Plan (NCP)**

Response Action Regulations

- **Final Draft April 23. 2002**
- **To be incorporated into Title 22**
- **Division 4.5 Environmental Health
Standards for the Management of
Hazardous Waste**
- **Chapter 50, Response Action**

Response Action Regulations

- **Oversight agencies**
 - **Department of Toxic Substances Control (DTSC)**
 - **Certified Unified Program Agencies (CUPA)**
- **Recover costs under the federal Comprehensive Environmental Response, Compensation and Liability Act (CERLA)**

Response Action Regulations

- **Cleanup Process**
 - Consistent with NCP process
 - Preliminary Endangerment Assessment
 - Remedial Investigation/Feasibility Study
 - Remedial Action Plan
- **Time – critical removals**
 - Non-emergency removal action with a short planning period
- **Alternative remedial measures**
 - Less complex sites
- **CUPA Qualifications**
 - Tier 1 and 2

Response Action Regulations

- DTSC promulgation of regulations
- CUPA Response Action Committee commentary since 1997
- Areas of concern with the Response Action Regulations:
 - Definition of less complex site
 - Cleanup timeframe of 120 days
 - DTSC determination of site categorization

Protecting San Diego's Water Resources

